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**DATE:** September 17, 2004**CLIENT NO.:** Appl No. 09/938,644  
Docket No. M4065.0466/P466**MESSAGE TO:** Examiner Anita K. Alanko**COMPANY:** USPTO**FAX NUMBER:** 703-872-9306**PHONE:** 571-272-1458**FROM:** Ryan H. Flax **TIMEKEEPER NO.:** 0161**PHONE:** 202-429-2164**PAGES (Including Cover Sheet):** 20 **HARD COPY TO FOLLOW:** YES  NO

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**MESSAGE:**

In response to the Office communication dated September 9, 2004, we have attached a copy of the amendment as it was filed on July 15, 2004, complete with underlining and strikethrough and/or bracketing, along with the stamp-dated postcard. The changes to the claims were minimal and perhaps easily overlooked by the Examiner, but were presented in the proper form.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Applicant respectfully requests a Notice of Allowance of all pending claims.

  
 Ryan H. Flax

Reg. No.: 48,141

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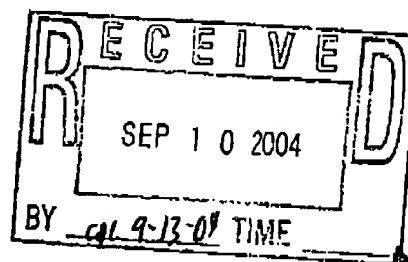
(MR)

Sept. 17, 2004

APPLICATION NO.	FILING DATE	FIRST NAME INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,644	08/27/2001	Neal Rueger	M4065.0466/P466	1172
24998	7590	09/09/2004	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP			ALANKO, ANITA KAREN	
2101 L STREET NW			ART UNIT	
WASHINGTON, DC 20037-1526			PAPER NUMBER	
1765				

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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10-9-04



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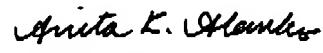
APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/938,644	8/27/01	Rueger	M 4065, 0466/19466
		EXAMINER	Alanko
		ART UNIT	PAPER
		1765	0904

DATE MAILED:

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on July 15, 2004 is not fully responsive to the prior Office action because it does not have proper underlining, strikethrough or bracketing of inserted and/or deleted words from the examiner's amendment mailed on 1/23/04. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(n), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.



Anita K Alanko  
Primary Examiner  
Art Unit: 1765

Inventor: Neal Rueger

Atty Docket No.: M4065.0466/P466

Application No.: 09/938,644-Conf. #1172 Filing Date: August 27, 2001  
Title: METHOD AND APPARATUS FOR MICROMACHINING USING A MAGNETIC  
FIELD AND PLASMA ETCHING

Documents Filed:

Amendment (15 pgs)



Via:

Sender's Initials: TJD/RHF/cz

Date: July 15, 2004

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